



**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY
JOINT REGULAR MEETING**

WEDNESDAY, OCTOBER 12, 2022 AT 5:00 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

**Kimberly A. Cobos-Cawthorne, Mayor/Chairperson
Angie M. Jimenez, Mayor Pro Tem/Vice Chairperson
Scarlet Peralta, Councilmember/Member
Salvador Melendez, Councilmember/Member
David N. Torres, Councilmember/Member**

**CITY MANAGER/EXECUTIVE
DIRECTOR**

René Bobadilla, City Manager

CITY TREASURER
Rafael Gutierrez

**CITY ATTORNEY/AUTHORITY
COUNSEL**

Arnold M. Alvarez-Glasman

CITY CLERK/SECRETARY OF AUTHORITY

Christopher Jimenez

DEPARTMENT HEADS

**Assistant City Manager
Fire Chief
Police Chief
Director of Finance
Director of Human Resources
Director of Planning/Community Development
Director of Public Works
Director of Recreation and Community Services
Director of Transportation
Director of Public Affairs and Technology**

**Arlene Salazar
Fernando Pelaez
Paul Espinosa
Michael Solorza
Nicholas Razo
Joseph Palombi
James Enriquez
David Sosnowski
Adrianna Kendricks
Michael Chee**

NOTICES

COVID-19 NOTICE: The City Council rescinded the Declaration of the Local Emergency and the continuation of teleconferencing open meetings pursuant to AB 361 by adopting Resolution No. 22-21 on Wednesday, April 13, 2022. This City Council/Public Financing Authority Joint Regular Meeting ("Council"/"PFA") will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California.** The meeting will be live streamed and can be watched on the City's website and YouTube Channel via the following link: <https://www.cityofmontebelloca.gov>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers, and Youtube.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact the Administration Office at (323) 887-1437 Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact the City Clerk's office 72 hours before this meeting. **Si necesita servicios de traducción, comuníquese con la Oficina del Secretario Municipal 72 horas antes de esta reunión.** 如果您需要翻译服务, 请在会议前 72 小时联系市书记员办公室

RULES OF DECORUM:

As Established by Ordinance 2443, adopted on October 27, 2021: Signs, placards, banners, horns, noise-making devices, or other similar items shall not be permitted in the audience during a Public Meeting if the presence of such item disturbs, disrupts or otherwise impedes the orderly conduct of the meeting. All persons attending a public meeting shall remain seated in the seats provided, unless addressing the body at the podium or entering or leaving the meeting. No member of the audience shall willfully interrupt the orderly conduct at the meeting, this includes clapping or otherwise speaking from their seats. The presiding officer shall direct the removal of any individual whose willful interruption renders infeasible the orderly conduct of the meeting. In the event the removal of the individual or individuals willfully interrupting the meeting does not restore order, the presiding officer may order the meeting room cleared and continue in session. Speakers shall not engage in willful conduct which interrupts the meeting or interferes with the orderly conduct of the meeting. Any person who becomes boisterous while addressing the Council/PFA or who otherwise disrupts the orderly conduct of the Council/PFA's business shall be subject to removal from the Chambers after being admonished by the presiding officer.

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the City Council/PFA meetings, you may address the City Council/PFA in person the day of the meeting. Speakers will be required to fill out a speaker card provided at the door and turn it into the Deputy City Clerk prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received. Closed Session begins at 5:00 p.m. and Regular Session begins no later than 6:00 p.m.

Via Email: The public may also submit emailed comments via the City's email address: ccpubliccomment@cityofmontebello.com, up until the day of the meeting, **Wednesday, October 12, 2022 by 3:00 p.m.** These comments will be submitted to all members of the City Council/PFA and may not be read aloud but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the City Council/PFA. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the City Council/PFA, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

AGENDA MATERIALS: The agenda and/or agenda packet are available for public inspection at City's website at: <https://www.montebelloca.gov/cms/One.aspx?portalId=58756&pageId=77219>.

IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

At this time, the general public may address the City Council/PFA on Closed Session Items. Please be aware that the maximum time allotted for members of the public to speak on Closed Session Items shall not exceed three (3) minutes per person. State Law prohibits the City Council/PFA from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

CLOSED SESSION 5:00 P.M.

The City Attorney shall provide a briefing on the item listed for Closed Session as follows:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**
Government Code Section 54957
Consultation with City Manager, Police Chief, City Attorney and other related City officials.
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8
Property: 112-132 S. 6th Street
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: Cesar Chavez Foundation
Under Negotiation: Price and Terms
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Government Code Section 54956.8
Property: 901 Via San Clemente
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: Quiet Cannon Management & Trend Sports II
Under Negotiation: Price and Terms
4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2): Three Matters
One matter related to Brown Act claim
One matter related to ACLU letter
One matter related to Infrastructure Engineers

REGULAR SESSION NO LATER THAN 6:00 P.M.

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA CITY MANAGER

CEREMONIAL/PRESENTATIONS

5. **BREAST CANCER AWARENESS MONTH**
6. **BULLYING PREVENTION MONTH**
7. **DOMESTIC VIOLENCE AWARENESS MONTH**
8. **DOWN SYNDROME AWARENESS MONTH**
9. **CITIZEN OF THE MONTH - GARY MENDIBLES**

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)

At this time, the general public may address the City Council/PFA on both non-agenda *and* agenda items. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per speaker. State Law prohibits the City Council/PFA from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

PUBLIC HEARING

OLD BUSINESS

REGULAR BUSINESS

10. **REVIEW THE PROPOSED CITY'S PERMANENT LOCAL HOUSING ALLOCATION PROGRAM FORMULA FUNDING PLAN**

It is recommended that the City Council:

- 1) Review and provide input on the Proposed City's Permanent Local Housing Allocation Program Formula Funding Plan to collect the City's \$1,900,548 five-year allocation; and
- 2) The Public Hearing for the consideration of approval of the City's Permanent Local Housing Allocation Program Funding Plan and Resolution will be heard at the City's Council Meeting on October 26, 2022; and
- 3) Take such additional, related, action that may be desirable.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine. Any items a Councilmember wishes to discuss should be designated at this time. All other items may be approved in a single motion. Such approval will also waive the reading of any ordinance.

11. **AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP NO. 23-3) FOR EMPLOYEE BENEFITS INSURANCE BROKER SERVICES**

It is recommended that the City Council:

- 1) Approve issuing an Employee Benefits Insurance Broker Services Request for Proposal, No. 23- 3 (RFP No. 23-3); and
- 2) Take such additional, related, action that may be desirable.

12. **APPROVAL OF A SOLE-SOURCE, PROFESSIONAL SERVICES AGREEMENT NO. 4031, WITH GOVERNMENTJOBS, INC., DBA NEOGOV, FOR ADD-ON PERFORM SOFTWARE SUBSCRIPTION AND SETUP SERVICES**

It is recommended that the City Council:

- 1) Approve a Sole-Source, Professional Services Agreement, No. 4031, with Governmentjobs, Inc., dba NEOGOV (NEOGOVS), for add-on Perform software subscription and setup services; and
- 2) Authorize the City Manager and/or his designee to execute an agreement on behalf of the City of Montebello (City); and
- 3) Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$16,083 in Account No. 100-25-250-6040.95 (General Fund, Human Resources, Contract Services – Professional Services); and
- 4) Take such additional, related, action that may be desirable.

13. AWARD OF CONSTRUCTION CONTRACT - MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT, PHASE 1 (CP NO. 894-1)

It is recommended that the City Council:

- 1) Award a construction contract for the Montebello Municipal Golf Course Renovation Project Phase 1 (CP No. 894-1) in the amount of \$5,094,000 to Los Angeles Engineering, Inc.; and
- 2) Authorize the Director of Public Works to review and approve change orders within a 10% contingency of the contract amount; and
- 3) Authorize the City Manager to execute the Contract Agreement, on behalf of the City; and
- 4) Award Task Order No. 4 via an Engagement Letter under Master Retainer Agreement No. 3919 with AIM Consulting Services for Construction Management and Inspection Services for the project for a not-to-exceed-fee of \$1,283,543; and
- 5) Approve a reimbursement payment to Trend Sports, LLC in the amount of \$494,705 for conceptual pre-design project development costs; and
- 6) Approve the Total Project Budget (Attachment A); and
- 7) Approve the Notice of Exemption (Attachment D) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
- 8) Take such additional, related, action that may be desirable.

14. APPROVAL OF CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT WITH DOUG MARTIN CONTRACTING COMPANY, INC. - ANNUAL SLURRY SEAL PROJECT FISCAL YEAR 2022-23 (C.P. NO. 892)

It is recommended that the City Council:

- 1) Find that the requested “Changes in Work” for the project (Attachment A) have no significant effect on the environment and approve Change Order No. 1 in the aggregate amount of \$300,000, increasing the total contract amount with Doug Martin Contracting Company, Inc. to \$699,920; and
- 2) Take such additional, related, action that may be desirable.

15. AMEND THE FISCAL YEAR 2022-23 CAPITAL IMPROVEMENT PROGRAM BUDGET BY INCREASING APPROPRIATIONS IN VARIOUS ACCOUNTS

It is recommended that the City Council:

- 1) Amend the adopted Fiscal Year 2022-23 Capital Improvement Program (CIP) budget by increasing appropriations in the various accounts as detailed in Attachment A; and

2) Take such additional, related, action that may be desirable.

16. ADOPT RESOLUTION NO. 22-84 APPROVING PLANS AND SPECIFICATIONS FOR THE MONTEBELLO DRIVING RANGE PROJECT – TOPGOLF MONTEBELLO; APPROVING A CONTRACT WITH MCCARTHY BUILDING COMPANIES FOR CONSTRUCTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE MONTEBELLO DRIVING RANGE PROJECT – TOPGOLF MONTEBELLO, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

It is recommended that the City Council:

- 1) Approve final plans and specifications for the Montebello Driving Range Project – Topgolf Montebello (“Project”) prepared by Aria Group Architects, Inc.; and
- 2) Approve the waiver of competitive bidding and find that McCarthy Building Companies is the only available and qualified contractor to provide the professional and construction services required to develop the Project; and
- 3) Approve and award a Guaranteed Maximum Price (GMP) Construction Contract to McCarthy Building Companies for construction and construction management services for the Project; and
- 4) Approve a Notice of Exemption for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder, and
- 5) Authorize the City Manager to make necessary non-monetary changes to the Construction Contract within the Guaranteed Maximum Price (not-to-exceed the net proceeds of the bonds) before execution; and
- 6) Authorize the City Manager to execute the Construction Contract in a form approved by the City Attorney;
- 7) Take any other additional actions necessary.

17. AUTHORIZE DISPOSITION OF SURPLUS GOLF CARTS AND EQUIPMENT

It is recommended that the City Council:

- 1) Authorize Recreation and Community Services Department staff to sell, auction, donate, dispose of, or transfer golf carts and equipment per the established Capital Asset Policy, No. VI-C-3; and
- 2) Take such additional, related, action that may be desirable.

18. APPROVAL OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FUNDS

It is recommended that the City Council:

- 1) Approve the use of grant funding awarded to the Montebello Police Department by the California Office of Traffic and Safety (OTS) through the Selective Traffic Enforcement Program (STEP), Grant number PT23048, in the amount of \$122,000; and
- 2) Amend the Fiscal Year 2022-23 budget and increase expense appropriations by \$122,000 in grant Account No. 265-8013-800-5010.10, 6010.40 and 6020, Grants, OTS-STEP Grant, (Overtime, Machinery and Equipment and Travel and Meetings); and by \$122,000 in revenue Account No. 265-99-4198.97 (Grants, Miscellaneous Grants – OTS Grants); and
- 3) Take such additional, related, action that may be desirable.

19. APPROVAL TO SUBMIT GRANT APPLICATION TO THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS HOUSING LINKAGE WORKING GROUP

It is recommended that the City Council:

- 1) Approve submission of the grant application to the San Gabriel Valley Council of Governments Housing Linkage Working Group; and
- 2) Take such additional, related, action that may be desirable.

20. APPROVE MEMORANDUM OF AGREEMENT NO. 22-23 BETWEEN THE CITY OF MONTEBELLO AND LOS ANGELES COUNTY TO FUND OPERATION STAY SAFE WITH THE CITIES AND COUNCILS OF GOVERNMENTS INTERIM HOUSING SERVICES FUND AND AMEND THE FISCAL YEAR 22-23 BUDGET TO APPROPRIATE FUNDS

It is recommended that the City Council:

- 1) Authorize the City Manager to execute a Memorandum of Agreement between the City of Montebello and Los Angeles County to receive \$876,000 in funding from the Cities and Councils of Governments Interim Housing Services (“CCOGIHS”) Fund for the operation of Operation Stay Safe interim housing project; and,
- 2) Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$876,000 in expenditure Account No. 266-85-858-6040.10 (Interim Housing Services, Fire, Interim Housing Services , Other Contract Services) and \$876,000 in revenue Account No. 266-99-4198.30 (Interim Housing Services, Miscellaneous Grants - Interim Housing Services); and
- 3) Take such additional, related, action that may be desirable.

21. AMEND THE TRANSPORTATION DEPARTMENT CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2022-23

It is recommended that the City Council:

- 1) Adopt the Transportation Department Capital Improvement Program (CIP) budget for Fiscal Year 2022-23, for a total amount of \$10,550,644; and
- 2) Authorize Staff to amend the adopted FY 2022-23 budget to include appropriations in the various accounts as detailed in Attachment “A”, “Transportation Capital Improvement Program;” and
- 3) Take such additional, related, action that may be desirable.

22. APPROVE PURCHASE AND/OR LEASE OF FLEET VEHICLES FOR POLICE, FIRE, PUBLIC WORKS, PARKS AND RECREATION AND TRANSIT DEPARTMENTS

It is recommended that the City Council:

- 1) Approve the lease/purchase of twenty-one (21) vehicles and necessary equipment and installation services in the amount of \$1,438,092; and
- 2) Authorize the City Manager to approve up to an additional ten (10) percent of the estimated total purchase price (\$143,809), if needed, to account for uncertain market factors affecting the final price; and
- 3) Take any additional actions necessary to effectuate the procurement of the vehicles.

23. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 22-83 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED OCTOBER 12, 2022

It is recommended that the City Council:

- 1) Adopt Resolution No. 22-83 approving the Warrant Register dated OCTOBER 12, 2022.

24. APPROVAL OF MINUTES – JUNE 15, 2022 CITY COUNCIL SPECIAL MEETING; JUNE 22, 2022 CITY COUNCIL MEETING; AUGUST 1, 2022 CITY COUNCIL SPECIAL MEETING; AND AUGUST 10, 2022 CITY COUNCIL AND PUBLIC FINANCING AUTHORITY JOINT MEETING

It is recommended that the City Council:

- 1) Approve said minutes as written.

AB 1234 TRAVEL REPORTS

Members of the City Council will provide a brief report on meetings attended at the expense of the local agency as required by Government Code Section 53232.3(d).

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

- **Kimberly A. Cobos-Cawthorne, Mayor**
- **Angie M. Jimenez, Mayor Pro Tem**
- **David N. Torres, Councilmember**
- **Scarlet Peralta, Councilmember**
- **Salvador Melendez, Councilmember**

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on October 26, 2022 at 5:00 p.m.** which can be live streamed at www.cityofmontebello.com (Click on Live Stream).

I, Alicia Fernandez, Senior Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, October 9, 2022 5:00 p.m.**



Alicia Fernandez, Senior Deputy City Clerk